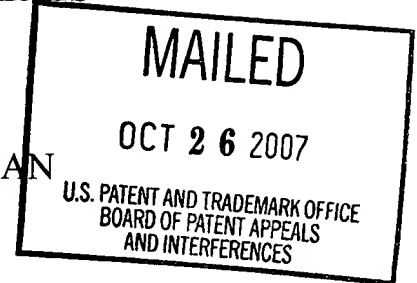


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte NEELAKANTAN SUNDARESAN

Application No. 09/672,304



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on October 18, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

On March 3, 2006, appellant filed a paper entitled "Second Supplemental Appeal Brief". A review of the file reveals that the grounds of rejection to be

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reviewed on appeal do not contain a concise statement of each ground of rejection presented for review. According to 37 CFR § 41.37(c)(1)(vi) states:

(vi) ***Grounds of rejection to be reviewed on appeal.*** A concise statement of each ground of rejection presented for review.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) to hold the Second Supplemental Appeal Brief of March 3, 2007 defective;
- 2) to notify applicant to file a substitute Appeal Brief in compliance with 37 CFR § 41.37;
- 3) for the examiner to consider the substitute Appeal Brief,
- 4) if necessary, vacate the Examiner's Answer mailed May 17, 2006, and issue a revised Examiner's Answer;

- 5) have a complete copy of the substitute Appeal Brief and any subsequent Examiner's Answer scanned into the record; and
- 6) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: *Patrick J. Nolan*
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